

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DELANEY G. MARKS,

No. C 07-03501 SBA (PR)

Plaintiff,

**ORDER OF DISMISSAL WITHOUT
PREJUDICE**

v.

CALIFORNIA DEPARTMENT OF
CORRECTION AND REHABILITATION, et
al.,

Defendants.

Plaintiff, a state prisoner, filed the present pro se prisoner complaint under 42 U.S.C. § 1983. On that same date the Clerk of the Court sent a notice to Plaintiff, informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk sent Plaintiff a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed. More than thirty days have passed and Plaintiff has not paid the filing fee, returned the in forma pauperis application or otherwise communicated with the Court.

Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The Clerk of the Court shall close the file. No filing fee is due.

IT IS SO ORDERED.

DATED: 11/27/07


SAUNDRA BROWN ARMSTRONG
United States District Judge

1
2 UNITED STATES DISTRICT COURT
3 FOR THE
4 NORTHERN DISTRICT OF CALIFORNIA

5
6
7 DELANEY G. MARKS,
8 Plaintiff,

Case Number: CV07-03501 SBA

CERTIFICATE OF SERVICE

9 v.
10 / et al,

11 Defendant.
12 _____/

13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
14 Court, Northern District of California.

15 That on November 28, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said
16 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
17 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
18 located in the Clerk's office.

19 Delaney G. Marks E-20346
20 CSP-San Quentin
CA State Prison at San Quentin
San Quentin, CA 94974

21 Dated: November 28, 2007

22 Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk
23
24
25
26
27
28